

REMARKS

By this Amendment, claims 1-7, 12-18, 23, and 25 have been canceled without prejudice or disclaimer. Upon entry of this Amendment claims 8-11, 14-22 and 24 will be all of the claims pending in this application.

Claim 8 has been amended merely to correct an informality. Since the amendment does not raise any new issues, Applicants request the Examiner to enter the amendment.

Preliminary Matters

Applicants acknowledge that the rejections of claims 23 and 24 under 35 U.S.C. § 101 have been withdrawn.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 5, 8, 10, 12-14, 16 19, 21, 23, 24 and 25 are rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6, 865, 386 to Aoyama *et al* ("Aoyama"). For *at least* the following reasons, Applicants respectfully traverse the rejection.

As an initial matter, since claims 1-3, 5, 12-14, 16, 23 and 25 have been canceled as noted above, the rejection of these claims is rendered moot.

Claim 8

Applicants respectfully submit claim 8 is patentable over Aoyama. For example, claim 8 recites a cellular telephone set comprising, *inter alia*, character presentation means for controlling animation display of a character upon occurrence of an event on the set depending upon *an occurrence timing of a predetermined operation relating to said event*. It appears that

the Examiner cites column 6, lines 27-33 of Aoyama for allegedly disclosing this feature (*see* Office Action: page 3). However, nowhere in the Aoyama reference, including the cited portions of Aoyama, is the above-noted feature of claim 8 disclosed in as complete detail as set forth in the claim.

Aoyama is directed to a communication terminal with a control unit to display record information and an image or a sequence of images based on personal data of a communications partner, including an image related to the communications partner, that were previously stored by a user in memory 6 (*see* Aoyama: Abstract, col. 5, lines 43-53, col. 9, lines 57-61). In column 5, Aoyama describes operations by which a user, during the initial setting of the phone, registers their own personal data or that of a communications counterpart, and also selects a character to be displayed during the display of animation scenes (Aoyama, col. 5, lines 43-67). In col. 6, lines 47-56, Aoyama states that when a communications counterpart that has been previously registered on a cell phone set by a user transmits a mail message to the user, the control unit 4 of the cell phone set displays a comment based on the personal data and communication conditions such as *the number of times of communication and the communication frequency*. That is, the comments displayed by the cell phone set of Aoyama are dependent on events occurring prior the current reception of a message since they require the computation of 'the number of times of communication and the communication frequency'. Cols. 11-12, lines 47-7 of Aoyama describe these operations in detail. In particular, the control unit 4 uses the date and time indicated by the calendar function of the cell phone set to obtain the communication record history with the subject communication partner.

Applicants respectfully submit that Aoyama does not disclose or suggest that the control unit 4 controls animation display of a character upon occurrence of an event on the set depending upon an *occurrence timing of a predetermined operation* relating to said event. In rejecting claim 2, which as indicated above also contains the above-noted feature of claim 8, the Examiner states that this feature is disclosed by Aoyama “where the image is accompanied with the message and displayed” (Office Action, page 6). However, Aoyama does not disclose any operation of displaying the image upon reception of a message *based on the time of occurrence of the incoming message*. If the Examiner disagrees, Applicants respectfully request the Examiner to indicate what operations of Aoyama’s cell phone set he is construing as *the predetermined operation related to an event*, **and** where Aoyama discloses that the control unit 4 displays a scene of character images based on *an occurrence timing* of the predetermined operation.

In light of the above discussion, Applicants respectfully submit that Aoyama does not anticipate all the features of claim 8 in as complete detail as set forth in the claim. As such, Applicants request the Examiner to withdraw the 35 U.S.C. § 102(e) rejection.

Claim 10

Since claim 10 is dependent upon claim 8, Applicants respectfully submit claim 10 is patentable *at least* by virtue of its dependency.

Claim 19

Claim 19 recites a character display presentation method comprising, *inter alia*, responsive to an occurrence of an event on a cellular telephone set, controlling animation display

of a character depending upon *an occurrence timing of a predetermined operation relating to said event*. Applicants respectfully submit claim 19 is patentable for *at least* reasons analogous to those given above with respect to claim 8.

Claim 21

Since claim 21 is dependent upon claim 19, Applicants respectfully submit claim 21 is patentable *at least* by virtue of its dependency.

Claim 24

Claim 24 recites a storage medium storing a program to cause a computer to implement functions of a character display presentation method, said functions comprising, *inter alia*, operating a computer for executing a process responsive to occurrence of an event on the set, of controlling animation display of said character depending upon *an occurrence timing of a predetermined operation relating to said event*. Applicants respectfully submit claim 24 is patentable for *at least* reasons analogous to those given above with respect to claim 8.

Conclusion

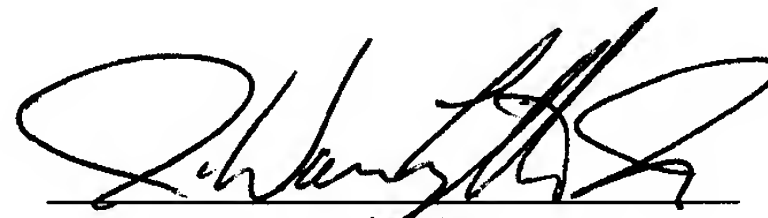
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/671,547

Attorney Docket No.: Q77532

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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